

KIRKLAND POLICE DEPARTMENT

123 5th Avenue Kirkland, WA 98033

CASE# 2017-00036715

CASE REPORT**NARRATIVE****M.Rosa #627****Case #17-36715****Assault 4**

On 10-19-2017, while on uniformed patrol in the City of Kirkland, County of King, State of Washington, I was dispatched to an Assault at the Fairfax Hospital, 10200 NE 132nd ST. The reporting party, who was an on-duty nurse, stated a patient was requesting an assault report.

I arrived on scene at Fairfax, and contacted the patient, [REDACTED] (DOB [REDACTED]). Because of [REDACTED]'s status at Fairfax Hospital, I was only allowed to speak with him in the court yard of Fairfax, with a nurse nearby.

[REDACTED] stated he is happy at the facility except for the verbal and physical abuse he has been victim to by [REDACTED] (DOB [REDACTED]). I advise [REDACTED] I will help as much as I can but I need to know a detailed account of what happened. [REDACTED] stated the following to me in a written statement:

"On 10/15/2017 sometime between 1800hrs and 1900hrs, I was standing in the snack line minding my own business. A patient [REDACTED] told me to stop looking at him. I told him I can look at you if I want. [REDACTED] said angrily that he was going to "kick my ass". I told him I never lost a fight and I wasn't afraid of him. [REDACTED] then said "I don't stand for this"; he reached out and grabbed me by the neck. He pushed me by my neck down the hall and slammed me against the wall causing pain to my head, neck and lower back. I did nothing in retaliation; I walked away once the staff got him off me. [REDACTED] and I have been in verbal altercations before but this was the first time it became physical.

I was going to let the assault slide but today 10/19/2017 in the court yard; he told me I should not be here and gave me a look that intimidated me. Due to that encounter I felt I needed to report the assault, in hopes it would stop his behavior."

I asked [REDACTED] if he received any medical attention due to the altercation. [REDACTED] stated he did; he had a bump on his head and scratch marks on his neck from where [REDACTED] grabbed him. Due to the time delay of reporting the incident the bump on his head had subsided and the scratch marks had faded a little. I did take photos of what could be seen of the scratches.

I provided [REDACTED] with my business card, complete with the Case Number. This is where my contact

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627 Rosa

DATE

10/19/2017

REVIEWED BY

Keese, Jack E**10/25/2017**

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CASE REPORT**NARRATIVE (continuation)**

ended with [REDACTED].

At this point I asked the nurse to bring [REDACTED] out so I could get his side of the story.

[REDACTED] stated that he and [REDACTED] got in to a verbal altercation because [REDACTED] kept looking at him. [REDACTED] explained that [REDACTED] got in his face and then threw hot coffee on him, which led him to put his hands on [REDACTED] and push him against the wall. [REDACTED] said he felt he had to push [REDACTED] to protect himself. I asked [REDACTED] what took place in the court yard today that led [REDACTED] to report the incident. [REDACTED] said that [REDACTED] this entire week had been getting in his face say that he was going to report the assault. He said that [REDACTED] would use that to try and fuel another argument. [REDACTED] said he did not do anything to intimidate [REDACTED], if anything it was [REDACTED] who was instigating it.

I advise [REDACTED] that if his version of the incident turned out to be correct then he had a right to protect himself. [REDACTED] said either way he did not want to press charges.

I was advised by the nurse that there was video surveillance of the entire incident but I would not be able to review it until Monday 10/23/2017. Upon reviewing the video on said date, [REDACTED]'s account was corroborated. The coffee was not spilled on [REDACTED] until he put his hands on [REDACTED] neck, then he proceeded to push [REDACTED] down the hall and into a wall. I also noted the exact time of the assault was 2011hrs which was contrary to [REDACTED]'s statement.

I asked [REDACTED] if he still wanted to proceed with filing criminal charges again Jones. To which [REDACTED] stated he did.

I developed Probable Cause to charge [REDACTED] and cited him through investigation with RCW 9A.36.041(2) Assault in the 4th Degree. I prepared a probable cause statement and Criminal Citation C43684K to be sent to the Kirkland Municipal Prosecutor for Review.

Photos of [REDACTED]'s injuries have been uploaded into the case jacket. The video surveillance was submitted as evidence into the Kirkland PD Property room (TAG #1736715EV627-001, locker #23).

NF

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